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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-----------------------------------|-----------------------|---------------------|------------------|
| 10/669,287 | 09/24/2003 | Gary Karlin Michelson | 101.0092-02000 | 6591 |
| 22882 | 7590 08/08/2007 | | EXAMINER | |
| | & FERRARO, LLP | | | |
| 1557 LAKE | O'PINES STREET, NE E, OH 44632 | • | ART UNIT | PAPER NUMBER |

Please find below and/or attached an Office communication concerning this application or proceeding.

Sof

to,

Notification of Non-Compliant Appeal Brief (37 CFR 41.37)

| | Application No. | Applicant(s) | , , |
|---|-----------------|--------------|------------|
| • | 10/669,287 | MICHELSON, G | ARY KARLIN |
| | Examiner | Art Unit | |
| | Bruce E. Snow | 3738 | |
| | | | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 12 April 2007 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

| 1205.0 | id dismissal of the appeal, applicant must file anamended brief or other appropriate correction (see MPEP 3) within ONE MONTH or THIRTY DAYS from the mailing date of this Notification, whichever is longer. ISIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136. |
|--------|--|
| 1. | The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order. |
| 2. 🗌 | The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)). |

| i. 🗆 | (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function unde 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to |
|------|---|
| | the drawings if any by reference characters (37 CER 41 37(c)(1)(v)) |

At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a

statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).

| 5. 🛛 | The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR |
|------|---|
| | 41.37(c)(1)(vi)) |

| 6. 🛛 | The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR |
|------|--|
| | 41.37(c)(1)(vii)). |

| · 🗆 | The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR |
|-----|---|
| | 41.37(c)(1)(viii)). |

| | , , , , , , , |
|------|---|
| 8. 🗌 | The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a |
| | statement setting forth where in the record that evidence was entered by the examiner, as an appendix |
| | |
| | thereto (37 CFR 41.37(c)(1)(ix)). |

| identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR |
|---|
| 41.37(c)(1)(x)). |

10. Other (including any explanation in support of the above items):

The following two rejections were not addressed: Claims 73 and 88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nolan (6,117,174) in view of Michelson (5,785,710) as above, in further view of Ray et al; (4,961,740). Claims 77-83 and 89-96 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nolan (6,117,174) in view of Michelson (5,785,710) as above, in further view of what would be obvious to one of ordinary skill in the art.

BRUCE SNOW PRIMARY EXAMINER

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